

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Joseph Fisher, *et al.*

Serial No.: 09/293,670

Filed: April 16, 1999

For: MULTIPARAMETER FACS ASSAYS TO DETECT
ALTERATIONS IN CELLULAR PARAMETERS AND TO
SCREEN SMALL MOLECULE LIBRARIES

Attorney Docket No.: RGV-006CP (formerly A-68104)

Group Art Unit: 1639

Examiner: T. Wessendorf

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 746-9585, on the date shown below.

Dated: July 16, 2003
(Lisa M. DiRocco, Esq.)

Signature: 

Dear Sir:

This is in response to the Office Communication dated November 18, 2002.

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REMARKS

Applicants and their Attorney would like to thank the Examiner for the courtesy of the telephonic interview of July 14, 2003, during which the instant Office Communication was discussed. In the Office Communication dated November 18, 2002, the Examiner stated that "the substitute specification filed 6/3/02 has not been entered because it does not conform to 37 CFR 1.125(b) because: there is no clean copy of the substitute specification."

Applicants respectfully submit that a clean copy of the substitute specification was submitted with Applicants' response dated May 29, 2002 and received June 3, 2002. The clean copy of the specification was labeled "Substitute Specification." A copy of the date-stamped return postcard, date-stamped June 3, 2002 by the United States Patent and Trademark Office, indicating the receipt of the Substitute Specification, is enclosed herewith. Accordingly, it is Applicants' understanding that no further action is required. Applicants' respectfully request withdrawal of the Office communication dated November 18, 2002.

Please charge any fees or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed. Applicants request any extensions of time necessary to respond.

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CONCLUSION

If a telephone conversation with Applicants' Attorney would expedite prosecution of the above-identified application, the Examiner is urged to call the undersigned at (617) 227-7400.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

By: 

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Dated: July 16, 2003